

## 4 *Recommended Changes to the Preliminary General Plan and Draft Program EIR*

This chapter contains recommended revisions to the GP and EIR for the Cowell Ranch / John Marsh State Historic Park made subsequent to its public release and the public review process. Revisions are the result of responses to comments made by the public and/or reviewing agencies, detailed in Chapter 3 of this document, and staff-directed changes. Text revisions are organized by chapter and page numbers that appear in the GP and EIR. Revisions to text are shown with a strikethrough or underline. Text that has a ~~strikethrough~~ has been deleted from the GP and EIR. Text that has been added is presented as single underlined. None of the revisions constitute significant changes to the EIR, so the EIR does not need to be recirculated. The Final GP may include additional minor revisions to ensure accuracy of information presented in the plan.

### 4.1 CHAPTER 2 TEXT REVISIONS

The following revisions have been made in the first paragraph under the subheading Parkwide Land Uses on page 2-1 of the GP and EIR:

#### **Parkwide Land Uses**

The Park is principally divided by Marsh Creek Road and by the Marsh Creek Dam and Reservoir that is owned and managed by the Contra Costa County Flood Control and Water Conservation District (CCCFCWCD). State Route (SR) 4 bisects the northeast corner of the Park near its intersection with Marsh Creek and further south, dividing the agricultural field into two parcels. Portions of the property lie within the ~~Los Vaqueros~~ Kellogg Creek watershed to the south of Camino Diablo Road. These lands form the northern boundary of the Los Vaqueros Reservoir and surrounding lands, managed by Contra Costa Water District (CCWD). Part of the Briones Valley lies between rolling hills that make up the largest contiguous acreage of the Park on the western side of Marsh Creek Road.

The following revisions have been made in the first paragraph under the subheading Surrounding Land Uses / Regional Context, Contra Costa Community College on page 2-1 of the GP and EIR:

#### *Surrounding Land Uses / Regional Context*

##### Contra Costa Community College

~~An approximate 30-acre future Contra Costa Community College site is located adjacent to the John Marsh House outside the Park boundary. The proposed college site is located outside of Contra Costa County's (County) Urban Limit Line (ULL), but is within the City of Brentwood's (City) Sphere of Influence. The Cowell Foundation donated the site to the Contra Costa Community College District (CCCCD) for the creation of a community college that would serve 5,000 students. CCCCCD is in the middle of a two-year period to exercise the irrevocable option to build on the property. It would~~

~~take 10 years to construct a campus. In approving the option agreement, the CCCC Board noted that the property “presents the most desirable and tangible site to further the future efforts of CCCC to locate a permanent educational center in the Brentwood area” (CCCC Governing Board Minutes, October 25, 2000).~~

The future Brentwood Center will be located on a 17-acre site in the City of Brentwood within the Vineyards at Marsh Creek, generally west of the intersection of the State Route 4 Bypass and Marsh Creek Road. The site is located near the Park boundary and the John Marsh House. The project consists of a new education center, a satellite site of Los Medanos College that would serve a maximum of 5,000 full- and part-time students. Two buildings would be located near the center of the site that would provide a total of approximately 88,000 square feet of classroom/office space. Each building would be two stories tall and approximately 35 feet in height. A total of 1,366 parking spaces would be provided in two surface lots (CCCC 2011)<sup>2</sup>. The center would have a total of 80 full-time and 200 part-time employees, including faculty and staff. The education center would offer a general education curriculum, but would not function as a full-service community college campus. Consequently, it would be limited to classrooms, laboratories and administrative and faculty offices and would not have other uses typically associated with a community college campus, such as a library, gymnasium, athletic fields, auditorium/theatre, cafeteria, bookstore, student union or other student services.

The following new text has been added to the first paragraph under the subheading State Route 4 Bypass on page 2-2 of the GP and EIR:

#### State Route 4 Bypass

Segment 3 of the State Route 4 Bypass (“SR 4 Bypass”) is located north of the Park with an interchange at Marsh Creek Road, dividing the Park. The SR 4 Bypass project is an approved expressway (250-foot right of way) developed between SR 4 and a relocated Vasco Road. An upgrade to Marsh Creek Road provides a connector (with a 110-foot right of way) between the SR 4 Bypass and the existing SR 4. The SR 4 Bypass between Marsh Creek Road in Brentwood and Hillcrest Avenue in Antioch has been designated the “John Marsh Heritage Highway”.

The following revisions have been made to the first paragraph under the subheading Grassland Associated Wildlife on page 2-34 of the GP and EIR:

#### Grassland Associated Wildlife

Grassland habitats, both native and non-native, are used by reptiles and amphibians such as western toad (*Bufo boreas*), alligator lizard (*Gerrhonotus* spp.), western fence lizard (*Sceloporus occidentalis*), California tiger salamander (*Ambystoma californiense*), common garter snake (*Thamnophis sirtalis*), and western rattlesnake (*Crotalis viridis*). Birds commonly using grassland habitats include: burrowing owl (*Athene cunicularia*), horned lark (*Eremophila alpestris*), prairie

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<sup>2</sup> Contra Costa Community College District. 2011 (February) Draft Supplemental Environmental Impact Report, New Brentwood Center. State Clearinghouse Number 2010112046. Martinez, California.

falcon (*Falco mexicanus*), golden eagle (*Aquila chrysaetos*), and western meadowlark (*Sturnella neglecta*). Annual grasslands also provide important foraging habitat for the turkey vulture (*Cathartes aura*), northern harrier (*Circus cyaneus*), American kestrel (*Falco sparverius*), white-tailed kite (*Elanus leucurus*), and red-tailed hawk (*Buteo jamaicensis*).

The following revisions have been made to the first paragraph on page 2-37 of the GP and EIR:

A large number of mammal species such as the California vole (*Microtus californicus*), deer mouse (*Peromyscus maniculatus*), Botta's pocket gopher (*Thomomys bottae*), California ground squirrel (*Spermophilus beecheyi*), black-tailed jackrabbit (*Lepus californicus*), American badger (*Taxidea taxus*), San Joaquin kit fox (*Vulpes macrotis mutica*), and coyote (*Canis latrans*) use grassland habitats. Small rodents attract predators including raptors (i.e., birds of prey) such as owls, which hunt at night, as well as day-hunting raptors, such as red-tailed hawk and northern harrier, and mammalian predators such as San Joaquin kit fox, and coyote. Black-tailed deer (*Odocoileus hemionus*) also use grasslands.

The following new text has been added to the first paragraph under the subheading Wetlands on page 2-38 of the GP and EIR:

#### Wetlands

Wetlands are sensitive habitats dominated by herbaceous species that grow in perennially or seasonally flooded, ponded, or saturated soil conditions.

The following revisions have been made to the first full paragraph on page 2-40 of the GP and EIR:

Rare plant surveys conducted by LSA Associates, Inc. in 1993 and 1994 documented the following three special-status plant species on the Cowell Ranch property, including Park property: the San Joaquin spearscale (*Atriplex joaquiniana*); big tarplant (*Blepharizonia plumosa* ~~ssp. plumosa~~); and crownscale (*Atriplex coronata* ssp. *coronata*) listed in Table 5.

Table 5, Cowell Ranch / John Marsh State Historic Park Special-status Plant Species, presented on page 2-41 of the GP and EIR, is revised to update the nomenclature for *Blepharizonia plumosa*, as shown:

**Table 5**  
**Cowell Ranch / John Marsh State Historic Park Special-status Plant Species**

Species	Associated Habitat	Potential for Occurrence	CNPS	DFG	USFWS
Plants					
<i>Blepharizonia plumosa</i> <del>ssp. plumosa</del> Big tarplant	Grasslands	Known to occur. Detected during botanical surveys (LSA 1993, 1994).	1B	–	–

The text on Table 6, Cowell Ranch / John Marsh State Historic Park Special-status Wildlife Species, presented on page 2-46 of the GP and EIR, has been revised as shown:

**Table 6**  
**Cowell Ranch / John Marsh State Historic Park Special-status Wildlife Species**  
*(excerpt from page 2-46)*

SPECIES	ASSOCIATED HABITAT	POTENTIAL FOR OCCURRENCE	DFG	USFWS
Vulpes macrotis mutica San Joaquin kit fox	Open grassland, shrub, woodland areas; friable soils; rodent food source	Unlikely. Likely to occur. Although site is part of historical range, and a solitary kit fox was observed immediately south of the site in 2008, detections are extremely rare in the northern part of their range.	CE	FE

The following revisions have been made to the first paragraph under the subheading California Tiger Salamander on page 2-47 of the GP and EIR:

**California Tiger Salamander**

The California tiger salamander is federally and state listed as threatened ~~and is a California Species of Special Concern~~. This large terrestrial salamander is generally restricted to grasslands below 2,000 feet. California tiger salamanders move from subterranean refuge sites (e.g., small mammal burrows) to breeding sites (e.g., vernal pools, seasonal ponds) following relatively warm winter and spring rains (October through May). Tiger salamanders can successfully breed in artificial impoundments (e.g., stock ponds) as long as they do not contain fish. Because tiger salamanders have been known to travel long distances to reach suitable breeding ponds, the DFG considers upland habitat within 2 kilometers (km) (1.24 mile) of potential breeding locations as potential habitat (USFWS and DFG 2003). A minimum of 10 weeks is required to complete development through metamorphosis (Jennings and Hayes 1994).

The following revisions have been made to the second paragraph under the subheading Burrowing Owl on page 2-49 of the GP and EIR:

**Burrowing Owl**

Suitable habitat for burrowing owls was identified throughout the Park. A single burrowing owl was observed on, or near, the community college site (LSA 1993). During 2003, both a habitat assessment and protocol-level (CDFG 1995, California Burrowing Owl Consortium 1997) winter and nesting season focused surveys were conducted. The surveys recorded a total of nine burrowing owls on the Cowell Ranch site which included land outside of the current Park boundary, now being developed as residential housing (Sycamore Associates LLC 2003). Ground squirrel burrow concentrations were mapped in thirteen areas on the site. Burrowing owl signs (i.e., pellets, feathers, and whitewash) were found in seven of thirteen survey areas during winter surveys. One breeding pair was observed during the nesting season surveys in the northeast area

of the Cowell Ranch property (Sycamore Associates, LLC 2003). Evidence of burrowing owls has also been observed around the dam of Marsh Creek Reservoir (Contra Costa County Flood Control and Water Conservation District, 2011).

The following revisions have been made to the seventh paragraph under the subheading San Joaquin Kit Fox on page 2-50 of the GP and EIR:

Documented historical sightings include numerous reports of the kit fox in adjacent and surrounding areas from 1972 – 2002. Early sightings noted in a report on the biological resources at Cowell Ranch by LSA, Inc. (1993) include Jensen (1972) documenting several kit fox sightings in the immediate area, Swick (1973) sighting two kit foxes on the east side of Walnut Boulevard adjacent to the Cowell Ranch, and Morell (1975) sighting a kit fox on or immediately adjacent to Cowell Ranch, at the intersection of Deer Valley and Briones Valley Roads. More recent occurrences include sightings to the south, in the vicinity of Byron and the Los Vaqueros Reservoir (1991, 1996, 1998, 2002, 2008), and several others to the northwest near the Black Diamond Mines and Antioch (1990 – 1992; 1995 - 1997) (CNDDDB 2006). Of these sightings, the closest (~2.6 miles) to the Park was located east of Walnut Boulevard and Old Vasco Road, from 1988 and 1989, and the most recent (2008<sup>2</sup>) occurred near the Los Vaqueros Watershed Office immediately south of the project site~~Vasco Caves at Bushy Peak and Bosley Ranch, between 7 and 10 miles south of the Park~~. Sycamore Associates LLC report on the early evaluation for the San Joaquin kit fox (2003), provides a clear description of these occurrences.

The following revisions have been made to the first paragraph on page 2-54 of the GP and EIR:

The Park property was originally part of the 13,316-acre Los Meganos Mexican Land Grant given to Jose Noriega, and subsequently purchased by Dr. John Marsh in 1837 (Beck and Haase 1974, Hoover et al. 1990). A timeline of events related to occupation and land ownership of the Park can be found in Table 7. Marsh was a native of Massachusetts, who studied the classics intending to be a minister, but later studied anatomy, worked with a local physician, and graduated from Harvard University with a Bachelor of Arts degree (1823). Marsh traveled for a number of years, settling briefly in Wisconsin before traveling to California by way of Mexico. While in Wisconsin, he apparently was employed as sub-agent for Indian Affairs at Prairie du Chien (Farris et al. 1988), and studied Indian culture, eventually writing a Sioux dictionary and grammar book (1831). Marsh had a half-Sioux wife, son (Charles), and daughter while acting as an Agent. His wife and daughter died in Wisconsin; when Marsh decided to move west he left his son in the care of the James Pantier family in Illinois. Marsh made his way to Santa Fe, New Mexico and then from there to Los Angeles (1836) where he became California's first practicing doctor. Marsh sent word east to attract settlers, whom he received well but charged large sums for supplies and aid. The first planned overland immigration to California, the Bidwell-Bartleson Party, which arrived at Marsh's adobe in 1841, was a result of Marsh's letters that were sent to the east. Marsh converted to Catholicism and became a naturalized Mexican citizen.

The following revisions have been made to the paragraph under the subheading Round Valley Regional Preserve on page 2-73 of the GP and EIR:

### *Round Valley Regional Preserve*

The Round Valley Regional Preserve is located in eastern Contra Costa County, just southwest of the Park, and is owned and operated by the East Bay Regional Park District. The Preserve contains 2,024 acres of grassland, oak woodland/savannah, shrubland and riparian woodland plant communities. This diversity of habitats supports a variety of wildlife, both common and special-status species. Round Valley Regional Preserve has vehicular access (via Marsh Creek Road) and parking at the northeastern corner of the park, just south of the Park site (EBPRD web access 2006). The EBRPD leases this land from California State Parks for the staging area. The Preserve offers unpaved trails for hiking, biking and equestrian use, and includes a 25-person group campsite. A field archery range is also available at the site. ~~There are no picnic sites, or camping available at this preserve.~~ Many of the Preserve's trails connect with adjacent open space preserves or parks, enabling non-vehicular access to hundreds of miles of trails, camping, and recreation (EBPRD web access 2006).

The following new text has been added following the subheading San Francisco Bay to San Joaquin River Trail on page 2-75 of the GP and EIR:

#### *Diablo Trail*

The Diablo Trail is an approximately 30-mile multi-use trail that extends through six different open spaces in the East Bay: Shell Ridge Open Space, Diablo Foothills Regional Park, Mount Diablo State Park, Morgan Territory Regional Preserve, the Los Vaqueros watershed and Round Valley Regional Preserve. The trail currently ends at the Round Valley staging area on Marsh Creek Road, within the State Historic Park. The trail route follows pre-existing trails, however signage is lacking in some areas. The non-profit group, Save Mount Diablo and others have proposed to eventually expand the Diablo Trail into a 60 to 70 mile loop, creating the Diablo Grand Loop Trail.

The following new text has been added after the first paragraph under the subheading East Bay Regional Park District Master Plan on page 2-83 of the GP and EIR:

#### *East Bay Regional Park District Master Plan*

East Bay Regional Park District is currently preparing an update of the District's Master Plan, a policy document that guides the District in future expansion of parks, trails, and services. The District provides and manages the regional parks for Alameda and Contra Costa counties, a 1,700 square mile area which is home to over 2.5 million people. The District manages 65 regional parks, over 108,000 acres of open space, and 1,200 miles of trails. The District's Master Plan update is scheduled to be completed in late 2011.

Accompanying the plan is the Master Plan Map, which was updated in 2007 and outlines several proposed new areas within the Park District's jurisdiction. The 2007 Master Plan Map focuses on creating new regional trails, expanding the District to include the Fox Ridge Manor property adjacent to the new Cowell Ranch / John Marsh State Historic Park, and expanding existing parks

as well as creating new regional parks in a number of areas including Deer Valley, the Byron wetlands area, and Bethany Reservoir.

The following revisions have been made to the paragraph under the subheading Los Vaqueros Reservoir Expansion Project on page 2-84 of the GP and EIR:

*Los Vaqueros Reservoir Expansion Project*

The Los Vaqueros Reservoir is located southeast of the Park. The ~~CCWD~~ CCCFCWCD manages the Reservoir, and together with the Bureau of Reclamation, prepared an EIR to assess the proposed effects of Reservoir expansion. In March of 2010, the District certified the Environmental Impact Report and approved a project to expand the reservoir to 160,000 acre-feet from the current 100,000 acre-feet to provide reliable water in drought periods and improve water quality. The objectives of this project are to develop alternative sources of water to support fisheries protection, to ensure a reliable water supply within portions of the San Francisco Bay Area, and to improve the quality of water deliveries to Bay Area municipal and industrial water customers. Construction is planned to begin in 2011. ~~Although not within the same watershed as the Park,~~ The reservoir is within the same watershed (Kellogg Creek) as the eastern edge of the Park, and the Reservoir's proximity to the Park establishes the relevance of this project and related studies to planning activities.

The following revisions have been made to the first paragraph under Visitor Use and Facilities, Visitor Facilities (FAC) on page 2-87 of the GP and EIR:

The Park has been open for limited public guided tours since its acquisition in 2002; however, there are currently no public facilities at the Park. There are select locations available for siting and building facilities, and an opportunity to make new facilities universally accessible. The John Marsh House and surrounding site can serve as a focal area of the Park to greet visitors and provide a central meeting place to launch other activities. There are also other locations within the Park that can act as staging areas to connect with other local and regional recreational facilities or for special events. There may be an opportunity to create a trail connecting the Park and the proposed amphitheater located in the Vineyards at Marsh Creek. Trails, day use, education, camping, ~~and~~ interpretation and special events are some of the activities that could have associated facilities to enhance visitor experience of the Park.

The following revision has been made to the first bullet under Opportunities on page 2-87 of the GP and EIR:

- Deer Valley Road and the Marsh Creek Road and Walnut Boulevard access points at the Eastern Hills area could be enhanced to provide Park facilities, such as restrooms, trailheads and visitor contact information.

The following revision has been made to the first paragraph under Concessions (CON) on page 2-90 of the GP and EIR:

There are opportunities to add concessions that complement the site's character and enhance overall park function and interpretive ability. Potential exists to re-use existing buildings for concessions depending on appropriateness of use and condition of the buildings. Ease of access to the Park and its close proximity to the City of Brentwood could encourage concessions for such activities as overnight accommodation, equestrians use, special events and other uses.

The following revision has been made to the first bullet under Constraints, Park Access and Circulation (ACCESS) on page 2-90 of the GP and EIR:

- Access from Marsh Creek Road and Walnut Blvd. is not designed for public use and needs evaluation for safety and engineering upgrades.

## 4.2 CHAPTER 3 TEXT REVISIONS

The following revisions have been made to the second paragraph under the subheading Existing Features on page 3-11 of the GP and EIR:

The Eastern Area is located along the eastern edge of the Park and encompasses a part of the Eastern Hills and the isolated portion of the Park north of the proposed Highway 4 Bypass. This site contains former farmland and consists primarily of open grasslands. It is accessed from ~~Los Vaqueros Road~~ Walnut Boulevard along the eastern boundary of the site. This sub-zone is defined by the Park's eastern boundary and the hills to the west. The Round Valley Area is located at the southwestern corner of the Park and contains the existing Round Valley Staging Area and Miwok Trailhead currently leased to East Bay Regional Park District. This sub-zone is defined by the southern Park boundary along the Round Valley Regional Preserve and is accessed by Marsh Creek Road.

The following revisions have been made to the first paragraph under the subheading Land Use on page 3-12 of the GP and EIR:

Activities in the VF Zone will include those activities associated with the Park's visitor facilities and services, such as trail use, picnicking, camping, ~~and~~ wildlife viewing and equestrian activities. Equestrian activities and facilities could include trail riding, equestrian campsites, staging areas, concessions for horse rental, stables or an arena. Facilities in the Historic Area will include picnic sites, a group gathering building, restrooms, and a parking/staging area. The Eastern Area, located along Walnut Boulevard, ~~will~~could include a public visitor center, developed campsites (RV and tent sites), group camps, hike-in sites, alternative campsites (tent cabin, yurt, cabin), restrooms, ~~as well as picnic sites,~~ equestrian use and sites for special events. The Round Valley Area will contain hike-in sites, equestrian, and tent campsites, picnic sites, restrooms, and a parking/staging area. The Dry Creek and Briones Valley areas will contain fewer developed facilities, limited to parking/staging areas, restrooms, and picnic sites at Briones Valley. All VF Zone areas will have



trails/trailheads and interpretive facilities, consisting of signage as well as interpretive stations at Briones Valley and Round Valley.

The following has been added to Table 13, Visitor Facility Zone Land Use, under Uses on page 3-13 of the GP and EIR:

Uses	Existing	Proposed
Hiking	-	X
Mountain biking	-	X
Horseback riding	-	X
Picnicking	-	X
Wildlife viewing	-	X
Environmental nature study & research	-	X
RV camping <sup>6</sup>	-	X
Developed tent camping <sup>7</sup>	-	X
Alternative camping (yurts, cabins) <sup>8</sup>	-	X
Hike-in camping <sup>9</sup>	-	X
Equestrian camping (single and group) <sup>10</sup>	-	X
Group camping <sup>11</sup>	-	X
Interpretive programs	-	X
Guided walks	-	X
Special events	-	X

The following revisions have been made to the first paragraph under Primary Historic Zone, Land Use, on page 3-17 of the GP and EIR:

#### Land Use

Activities in the PHS Zone shall include research, interpretive programs, and cultural resource protection, preservation, appreciation, and education. Research associated with archeological remains including excavations needed to investigate the presence or extent of sub-surface resources is permitted in this zone. Additionally, trail, day use and lodging facilities in this zone will provide for uses such as hiking, mountain biking, horseback riding, guided walks, picnicking, ~~and overnight accommodations, and special events where they are consistent with use zone designations and found to have no~~ can be accommodated without significant resource impacts. Overnight accommodations would be limited to adapted reuse of structures ~~to provide temporary quarters for visiting researchers or participants in environmental learning programs.~~ A cultural resource field station is planned in this zone as either part of an existing rehabilitated structure or

a portion of a new building. This would be used by cultural resource specialists as part of research and or storage of materials needed for archeological or other cultural resource investigation or documentation. Grazing and other agricultural uses should feature livestock breeds and crop varieties appropriate to the site's history and that assist in interpreting the ranching and farming that occurred there. Due to the presence of natural resources in the zone, in addition to cultural resources, the PHS Zone will also provide opportunities for environmental nature study and research. Table 15 provides a summary of features, facilities/infrastructure, and activities proposed for the PHS Zone.

The following revisions have been made to Table 15, Primary Historic Zone Land Use, on page 3-17 through 3-18 of the GP and EIR:

<b>Table 15 Primary Historic Zone Land Use</b>		
	EXISTING	PROPOSED
<b>Features</b>		
Historic resources	X	To remain
Pre-historic resources	X	To remain
Road access	X	X
Native vegetation & wildlife habitat	X	To remain
Moderate slopes	X	To remain
Corrals	X	To remain
<b>Facilities/Infrastructure</b>		
John Marsh House	X	To remain
Ranch complex	X	X
Cultural Research Field Station	-	X
Trails	-	X
Overnight accommodation <sup>1</sup>	-	<del>Limited use</del> X
Interpretive signage/station	-	X
Visitor center	-	X
Staff housing/offices	-	X
Day use facilities	-	X
<b>Uses</b>		
Locally important farmland/grazing land	X	To remain for Interpretive purposes
Cultural resource protection, preservation, appreciation, and education	-	X

**Table 15**  
**Primary Historic Zone Land Use**

	EXISTING	PROPOSED
Interpretive programs	-	X
Overnight accommodation <sup>1</sup>	-	X
Hiking	-	X
Mountain biking	-	X
Horseback riding	-	X
Picnicking	-	X
Cultural resource study & research	-	X
Environmental nature study & research	-	X
Guided walks	-	X

<sup>1</sup> Overnight accommodations ~~would be limited to temporary quarters for visiting researchers or participants in Environmental Learning Programs.~~ May include restroom and dining facilities through concession.

The following revision has been made to the second paragraph of section 3.4 Description of Preferred Alternative (Alternative C) on page 3-20 of the GP and EIR:

**Visitor Use and Facilities:** The Preferred Alternative proposes several visitor facilities at five areas around the Park. Proposed facilities for day use, overnight use and special events include picnic sites, parking areas, restrooms, a visitor center, and a group gathering area. Many camping facilities are also proposed, including RV, tent, equestrian, group, walk-in, and alternative campsites (tent cabin, cabin, yurt). Guided walks and interpretive programs, along with multi-use trails, wildlife viewing platforms, and an interpretive station are also proposed to provide facilities for visitor education.

The following revision has been made to the second guideline under Goal CON 1 on page 3-32 of the GP and EIR:

- With the help of recreation user groups and concessionaires, develop concession plans and special events that serve a viable population and will be successful.

The following guideline has been revised under Goal INTERP 3 on page 3-31 of the GP and EIR:

- ~~Consider interpreting~~ sub-surface cultural resources in consultation with Native American and archaeological organizations.

The following guideline has been added under Goal VEG 2 on page 3-35 of the GP and EIR:

- Minimize conflicts between special-status species management and public use.

The following revision has been made to Goal VEG 3 on page 3-35 of the GP and EIR:

Goal (VEG 3)

Protect native plant communities and special-status plants, and effectively manage invasive and non-native species.

The following revision has been made to the second guideline under Goal VEG 3 on page 3-35 of the GP and EIR:

- Identify invasive and non-native species at the Park and prepare a management plan to manage and remove these species over time. Priority for control efforts should be given to those species that are most invasive, ecologically detrimental, and/or conspicuous at the Park. Maintain a database on distribution and abundance of target populations. Coordinate with the Bay Area Early Detection Network (BAEDN) and use the BAEDN target weed list as a resource for regional invasive species information. State Parks Weed Information Mapping System (WIMS) is an appropriate protocol to use for weed mapping.

The following new guideline has been added under Goal VEG 3 on page 3-35 of the GP and EIR:

- Coordinate with adjacent park and open space management agencies to facilitate management of invasive species.

The following guideline has been added under Goal VEG 4 on page 3-36 of the GP and EIR:

- If the vegetation management plan identifies grazing as an appropriate grassland ecosystem management tool for the Park, develop a grazing management plan to ensure proper grazing management for the benefit of resources.

The following guideline has been added under Goal ACCESS 4 on page 3-46 of the GP and EIR:

- Provide signs clarifying public property boundaries where necessary and provide visitors with information regarding Park rules, wayfinding, and regulations to minimize public/private use conflicts and trespassing.

The following guideline has been added under Goal AGREE 2 on page 3-47 of the GP and EIR:

- Coordinate with regional open space management agencies, planning agencies, and non-profit organizations to identify acquisition and easement opportunities.

The following guideline has been added under Goal REG 1 on page 3-51 of the GP and EIR:

- Coordinate with regional open space advocates and open space management agencies to identify common planning concerns.

The following revision has been made to Table 18, Cowell Ranch / John Marsh State Historic Park Recreation Carrying Capacity, under Operations and Maintenance, presented on page 3-57 of the GP and EIR:

**Table 18**  
**Cowell Ranch / John Marsh State Historic Park Recreation Carrying Capacity**  
*(excerpt from page 3-57)*

PLANNING AREA		QUALITY INDICATORS	MANAGEMENT ACTIONS
Operations and Maintenance			
Park Access and Circulation		<ul style="list-style-type: none"> <li>▪ Accidents occur along Marsh Creek Road accessing the Park.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Work more vigorously with <u>Caltrans</u> <u>appropriate transportation agencies</u> <u>(Contra Costa County, Contra Costa County Transportation Authority, City of Brentwood, Caltrans)</u> to get roadway improvements funded and implemented.</li> </ul>

### 4.3 CHAPTER 4 TEXT REVISIONS

The following revision has been made to the third full paragraph on page 4-24 of the GP and EIR:

Stock ponds that provide habitat for the California red-legged frog and tiger salamander could be ~~adversely~~ affected by visitors, horses, and cattle. Several of the proposed trails could bring visitors in close proximity to ponds occupied by these species. Visitors on horses using the ponds to drink could degrade the shoreline environment and the water quality. The degree of impact would be generally proportional to the increase in visitors. Cattle using the ponds could also substantially ~~degrade~~ modify habitat for red-legged frog and tiger salamander.

The following revisions have been made to the fourth full paragraph on page 4-24 of the GP and EIR:

Implementation of the General Plan could result in potential impacts on other special-status wildlife species including the Longhorn fairy shrimp, vernal pool tadpole shrimp and vernal pool tadpole shrimp associated with vernal pool habitat. More surveys and mapping of known occurrences need to be conducted to confirm the presence of these species in the Park, as called for in guidelines under goal WLIFE 1. The Park is also part of the historical range for the San Joaquin kit fox, although recent sightings are not documented. The Park provides habitat for this species, and large areas of undisturbed wildlife corridors are designated in the General Plan; therefore, potential impacts to this species are considered less than significant. There are a host of special-status bird species including burrowing owl, Swainson's hawk and Northern harrier that could also be impacted from additional visitor use, trail development and increased access.

Disturbance or declines in ground squirrels ~~or their burrows~~, which provide prey for these species, or their burrows, which are used for aestivation habitat for California tiger salamanders and California red-legged frog and provide denning sites for San Joaquin kit fox, as well as nesting and sheltering habitat for burrowing owls, could adversely affect local populations. Impacts to wildlife will be directly associated with the potential loss of habitat.

The following revisions have been made to the Environmental Evaluation subheading under Transportation and Traffic on page 4-27 of the GP and EIR:

#### *Environmental Evaluation*

Implementation of the General Plan has the potential to increase visitor use of and associated traffic at Cowell Ranch / John Marsh State Historic Park by providing for additional Park facilities, uses, and programs and by increasing signage along Marsh Creek Road and in other areas outside of the Park. In addition, Park visitation is expected to increase as a result of population growth in the region and the increasing popularity of outdoor recreation (DPR 1998, California Department of Finance 2001). Increased visitor use and accommodation of visitors within the Park would result in additional vehicle trips both to and within the Park. As a result, overall traffic levels and the existing congestion on Marsh Creek Road would increase. Most additional vehicle trips would occur during peak season weekends or during special events when visitor facilities would be most utilized. Proposed parking and staging areas currently do not exist so these facilities may experience shortages during special events or in the short term until all future parking is built out.

The preferred alternative to implement the General Plan calls for development of up to 158 parking spaces, as well as vehicle parking associated with up to 210 campsites and three group camps for up to 75 people for a total of 443 parking spaces not including staff and maintenance parking. Making the conservative assumption that each parking space is used by one vehicle during the course of the day, the Park would generate a minimum of 443 trips to and from the Park during peak use months. This could represent an increase in vehicle trips on Marsh Creek Road, Walnut Boulevard and other roads and intersections adjacent to the proposed access points. The Vineyards at Marsh Creek development EIR studied various intersections in and around the Park location and analyzed impacts associated with the new mixed use development being constructed adjacent to the Park. The EIR found that even with the proposed development including the Park, level of service (LOS) at key intersections including Marsh Creek Road and Sellers Avenue and Balfour Road and Deer Valley Road would not experience reduced LOS such that significant impacts would result. Due to the dispersed locations for the staging areas at the Park and their locations immediately adjacent to existing roadways as well as the minimal amount of new traffic generated at each predominantly during off-peak times, the actions proposed in this General Plan do not have the potential to substantially lower the LOS on Marsh Creek Road and surrounding roadways, resulting in no significant impacts on circulation and traffic both within the Park and in its vicinity.

The General Plan contains a set of goals and guidelines aimed at managing access to and circulation in the Park. Goals ACCESS 1 through 5 call for safe and well-signed ingress and egress to the Park, emergency access, and visitor management. Although the General Plan would result in slight impacts on traffic and circulation, proposed improvements to Park roads and parking areas and the encouragement of improvements to area roads and highways, particularly Marsh Creek Road, Walnut Boulevard and the Highway 4 Bypass, would ~~alleviate these~~ reduce traffic and congestion impacts. Realignment and surface improvements of the Park entrance road would improve Park access and overall circulation to accommodate the anticipated increase in visitation, development, and associated traffic. Furthermore, although improving signage along Marsh Creek Road, Walnut Boulevard and at the Park entrances would attract additional visitors to the Park, it would also improve traffic flow by improving directions to the Park entrances. Efficient circulation and parking design would be incorporated into the design and operation of campgrounds, facilities, special events and other projects under this General Plan to minimize traffic and congestion within the Park. Implementation of these components of the General Plan would address and offset the anticipated circulation and traffic concerns, reducing potential impacts to less than significant.

#### 4.4 MAP REVISIONS

Maps 2, 11, and 12, presented on pages 1-5, 2-71, and 3-7 of the GP and EIR, respectively, have been revised to show the location of Fox Ridge Manor, a property owned by East Bay Regional Park District.

Map 3, presented on page 2-3 of the GP and EIR, has been revised to correctly identify the two parcels south of Marsh Creek Reservoir and north of Camino Diablo Road as Contra Costa County Flood Control and Water Conservation District properties.

Map 13, presented on page 3-9 of the GP and EIR, includes a revision regarding overnight accommodations.

Map 14, presented on page 3-21 of the GP and EIR, has been revised to add a bullet for special events and a bullet for equestrian facilities to the Eastern Visitor Facility Zone. In addition, the map has been revised to show the location of Fox Ridge Manor, a property owned by East Bay Regional Park District, and to clarify that day use indicates picnic areas.

Map 15, presented on page 3-23 of the GP and EIR, has been revised to add a bullet for special events to the Primary Historic Zone – Visitor Facility. In addition, the map has been revised to clarify that day use indicates picnic areas, and it also includes a revision regarding overnight accommodations.

Map 16, presented on page 4-7 of the GP and EIR, has been revised to show the location of Fox Ridge Manor, a property owned by East Bay Regional Park District, and to clarify that day use indicates picnic areas.

Map 17, presented on page 4-9 of the GP and EIR, has been revised to clarify that day use indicates picnic areas.

## **4.5 ADDENDUM TO CHAPTER 3 TEXT REVISIONS**

The following text was submitted to the State Park and Recreation Commission on January 27, 2012 for consideration as text revisions to the Preliminary General Plan and Program EIR. Appropriate revisions have been made in the final General Plan document.



# Staff recommended changes to the proposed Cowell Ranch/John Marsh State Historic Park General Plan. Brentwood, California

## Cultural Resources Goals and Guidelines

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This new language will replace the Goals and Guidelines in the section titled “Cultural Resource Management” found on pages 3-42, 3-43, and 3-44 of the Preliminary GP/DEIR.

### ***Cultural Resource Inventory and Protection (CUL)***

Management goals and guidelines set forth in this GP/DEIR are intended to guide future actions and decisions about cultural resource management within this State Historic Park. Primary goals are associated with long-term protection, preservation and stabilization of cultural resources. Recommendations for inventories, documentation, and additional management and treatment plans as well as the creation of a Memorandum of Understanding that will form a multi-representational advisory group to direct the future implementation of site specific projects are provided for in this section.

**Goal (CUL 1):** Protect, stabilize and when possible preserve all cultural resources located within the park in accordance with California Public Resource Code (PRC) 5019.59 pertaining to the classification of State Historic Parks, California Public Resources Code sections 5020 et seq., Executive Order W-26-92, and the Department’s own Cultural Resource Management Directives.

#### Guidelines:

- All projects or undertakings in the park will avoid or minimize impacts to all cultural resources.
- All projects or undertakings that involve ground breaking will involve a qualified archaeologist and a Native California Indian monitor.
- In the case prehistoric human remains are inadvertently encountered during a park project or undertaking, all work in the area will cease and the following procedures as identified in the DPR Cultural Resources Handbook will be followed: The archaeologist and monitor will contact the District Superintendent, secure the area of the find and contact the County Coroner. The County Coroner will determine if the remains are prehistoric or not and if they are the Coroner has 24 hours to notify the Native American Heritage Commission.

**Goal (CUL 2):** Complete an inventory to identify and document all cultural resources, as well as the precise boundaries of the archaeological resources within the Prime Historic Zone.



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### Guidelines:

- Systematically survey and document (Archaeological Survey Report, DPR 523 records, etc.) all the parks cultural resources.
- GPS record and map all cultural resources in the park and create a GIS layer of the information.
- Identify potential properties to the National Register. For example, the potential John Marsh Historic District and any potential cultural landscapes, traditional cultural properties or sacred sites in addition to the already National Register listed John Marsh House, the National Register nominated archaeological site CA-CCO18/548H,
- Conduct a limited, subsurface testing program to determine the extent of CA-CCO-18/548H.

**Goal (CUL 3):** Prior to site specific project implementation prepare a park wide Cultural Resources Management Plan (CRMP), based on the findings of the inventory.

### Guidelines:

- The CRMP will include procedures to minimize damage to all cultural resources, both prehistoric and historic, through a review process and the application of best management practices.
- The CRMP will address Native California Indian access to the park for ceremonial, spiritual, and gathering activities. Inform Native American groups that certain Native American practices such as the gathering of traditional materials require a permit when performed within CSP lands. Native American Gathering Permits allow for the managed gathering of materials, prevent inadvertent significant impacts to natural resources, and promote adherence to departmental mandates or policies regarding natural resources or other park procedures, facilities, or resources, while enabling CSP rangers and other staff to be aware of and supportive of such practices.



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- Provide interpretive language in the CRMP that addresses the history and ongoing evolution of contemporary Native California Indian people and cultures associated with the park.
- The CRMP will identify stakeholders and or park partners that may potentially join a park advisory group

**Goal (CUL 4):** Prior to site specific project implementation establish an advisory group of partners bound by a Memorandum of Understanding (MOU) between California State Parks, the Native American Heritage Commission (NAHC), the Native California Indians identified and maintained on the Most Likely Descendants (MLD) list, and possibly the Office of Historic Preservation (OHP) to work in conjunction with each other on site specific facility development plans within the Primary Historic Zone.

### Guidelines:

- The District Superintendent and a Department Cultural Resource Specialist(s) will represent California State Parks.
- A designee will represent the NAHC.
- A designee will represent the Native California Indians identified on the MLD list.
- A designee may represent OHP
- Additional designees may be identified.

**Goal (CUL 5).** Prior to site specific project implementation prepare an Archaeological Resources Treatment Plan (ARTP), in accordance with the advisory group's MOU, which stipulates measures and specific procedures in the event of the discovery of significant cultural resources including artifacts, objects, features as well as Native American human remains, during any ground disturbing projects, facility development, or other unanticipated discoveries.

### Guidelines:

- The ARTP will provide a framework for all future site specific development in the Primary Historic Zone.



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- Preservation in place and avoidance of significant archaeological resources will be the preferred manner of mitigating impacts in the ARTP.
- Project managers will develop project descriptions in consultation with the advisory group during the pre-planning phase of site specific projects in the Primary Historic Zone.
- Monitoring of all ground disturbances will be done by both an appropriate Native California Indian monitor and qualified archaeologist.
- Develop an archaeological monitoring program under the direction of the advisory group to monitor all facility development and ground disturbance activity in the primary historic zone.
- If unanticipated discoveries are made of significant cultural resources during the implementation of a site specific project the ARTP will provide guidance for the treatment of those discoveries.
- The ARTP will address the care of non-burial related artifacts in consultation with the advisory group.

**Goal (CUL 6):** Manage the use and maintenance of the National Register listed John Marsh House and the National Register nominated archaeological site CA-CCO-18/548H according to the United States Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties.

### Guidelines:

- Develop a plan for pursuing stabilization and possible rehabilitation of the John Marsh House as per the Secretary of the Interior Standards.
- Retain and protect existing design and historic fabric as much as possible.
- Explore the potential of a John Marsh Historic District to the National Register of Historic Places
- Maintain the historic viewshed.



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**Goal (CUL 7):** Expand the understanding of the context for the historic cultural landscape as it relates to the landholdings in the park beyond the John Marsh House area and era.

### Guidelines:

- Retain a ranch like character in the Primary Historic Zone that does not have an adverse effect on either the National Register listed or eligible cultural resources located there.
- Develop a 20<sup>th</sup> century historic context within which to document and evaluate the ranching complex and related historical archaeological sites.
- Document and evaluate additional elements of the cultural landscape such as features associated with ranching and agriculture and other contributors to a historical rural landscape, using the National Register and California Register criteria.
- Consult cultural landscape specialists before implementation of projects that may affect or have negative impacts on cultural landscape contributing elements and features.

